

REMARKS/ARGUMENTS

The above identified patent application has been amended and reconsideration and reexamination are hereby requested.

Claims 1-2, 4-5, 10-13, 16-17, and 19 are now pending in the application. Claims 3 and 20 have been canceled. Claims 6-9, 14-15, and 18 have been previously canceled. Claims 1 and 11 have been amended.

Claims Rejections - 35 U.S.C. § 103

The Examiner has rejected Claims 1, 4, 5, and 10 under 35 U.S.C. § 103(a) as being unpatentable over Krautz et al. (US 4,334,341) in view of Howald (US 6,014,793). The Examiner has rejected Claims 2, 3, 11-13, 16, 17, 19, and 20 under 35 U.S.C. § 103(a) as being unpatentable over Krautz et al. in view of Howald in further view of Latella et al. (US 5,738,954).

Amended Claim 1 includes "each locking member having ... a locking leg extending orthogonally to each said bias direction from the top face of the locking member" and "... a plurality of latching members adjacent to the top face of the locking members, the plurality of latching members being attached to the cover and separate from the lock release device." Amended Claim 11 includes "... the first bias spring biasing the first locking member in a first bias direction, the second bias spring biasing the second locking member in a second bias direction, the first locking member having a first locking leg extending orthogonally to the first bias direction from the first locking member top face, the second locking member having a second locking leg extending orthogonally to the second bias direction from the second locking member top face" and "... a first latching member adjacent to the first locking member top face and a second latching member adjacent to the second locking member top face, the first latching member and the second latching member being attached to the battery compartment cover and separate from the lock release device." The Applicant submits that the above recitations as claimed in Claims 1 and 11 are neither taught nor suggested nor are an obvious result from a reasonable combination of

the teachings in the references Krautz et al., Howald, and Latella et al., alone or in combination.

Krautz et al., while providing for pressings 12,13 with swivel latches 9 that snap into indentations 11 of tongue 2 (FIGs. 1-3; column 2, lines 24-29), and Howald, while providing for latch pins 3 and springs 4 for pushing the latch pins 3 against control member 10 (FIG. 5; column 4, lines 16-18), do not disclose the above recitations. In Krautz et al., the pressings 12, 13 are urged together by swivel latches 9, which are urged by springs 10 toward the tongue 2 (FIG. 2; column 2, lines 24-29). The swivel latches 9 (i.e., locking legs) are within the pressings 12, 13 (i.e., locking members) and extend parallel to the bias direction of the springs 10, and therefore the switch latches 9 do not extend “orthogonally to each said bias direction from the top face” of the pressings 12, 13. The Examiner analogized the swivel latches 9 to the both the locking members and the locking legs (see pages 2 and 5 of the Office action in relation to claims 1 and 3, respectively). However, even with such analogy, the switch latches 9 do not extend “orthogonally to each said bias direction from the top face” of the swivel latches 9.

In addition, Krautz et al. does not teach “a plurality of latching members adjacent to the top face of the locking members, the plurality of latching members being attached to the cover and separate from the lock release device,” as the indentations 11 are not “adjacent to the top face of the locking members.” Furthermore, Krautz et al. does not teach “the plurality of latching members being attached to the cover and separate from the lock release device,” as the indentations 11 are part of the tongue 2 (i.e., lock release device), which comprises opening wedge 24 and handle 25 (column 2, lines 49-59; FIGs. 1, 3; see also page 4 of the Office action in relation to claim 4).

Likewise, Krautz et al. does not teach the recitations of Claim 11, which include “the first bias spring biasing the first locking member in a first bias direction, the second bias spring biasing the second locking member in a second bias direction, the first locking member having a first locking leg extending orthogonally to the first bias direction from the first locking member top face, the

second locking member having a second locking leg extending orthogonally to the second bias direction from the second locking member top face” and “... a first latching member adjacent to the first locking member top face and a second latching member adjacent to the second locking member top face, the first latching member and the second latching member being attached to the battery compartment cover and separate from the lock release device.”

Howald also does not teach “a locking leg extending orthogonally to each said bias direction from the top face of the locking member” or “the first bias spring biasing the first locking member in a first bias direction, the second bias spring biasing the second locking member in a second bias direction, the first locking member having a first locking leg extending orthogonally to the first bias direction from the first locking member top face, the second locking member having a second locking leg extending orthogonally to the second bias direction from the second locking member top face,” as the latch pins 3 do not include a locking leg extending orthogonally to the bias direction of the springs 4 from the top face of the latch pins 3.

In addition, Howald does not teach “a plurality of latching members adjacent to the top face of the locking members, the plurality of latching members being attached to the cover and separate from the lock release device.” Nor does Howald teach “a first latching member adjacent to the first locking member top face and a second latching member adjacent to the second locking member top face, the first latching member and the second latching member being attached to the battery compartment cover and separate from the lock release device.”

Latella et al. also does not teach the above recitations. The Applicant points the Examiner to FIGs. 5 and 6 of the current patent application, which show the locking members 150 with locking legs 150a extending orthogonally to the spring bias direction from a top face of the locking members 150. The locking legs 150a grip the latching members 121, which are attached to cover 120.

Accordingly, because the cited references do not teach or suggest all of the claim limitations, the Applicant submits that the *prima facie* case of obviousness is not established, and therefore Claims 1 and 11 are unobvious and patentable over the cited references.


Claims 2, 4-5, and 10 are dependent on Claim 1 and therefore include all of the limitations of Claim 1 and additional limitations therein. As such, these claims are also allowable based upon Claim 1 and the additional limitations therein. Claims 12-13, 16-17, and 19 are dependent on Claim 11 and therefore include all of the limitations of Claim 11 and additional limitations therein. As such, these claims are also allowable based upon Claim 11 and the additional limitations therein.

Therefore, in view of the above amendment and remarks, the Applicant respectfully submits that the claims are patentably distinct over the prior art and that all the rejections to the claims have been overcome. As such, allowance of the above Application is requested. If there are any remaining issues that can be addressed over the telephone, the Examiner is cordially invited to call the Applicant's attorney at the number listed below.

Respectfully submitted,

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